

REMARKS

Applicant appreciates the Examiner's thorough examination of the present application. Applicant has amended claims 4, 5, 8, 14, 15, 18, 22, 25, 26, 36, 37, 40 and 45 herein. Claims 1-3, 11-13, 21, 32, 41, and 44 are canceled.

Applicant respectfully asserts that the claims are allowable herein over the Examiner's rejection under 35 U.S.C. §102. Applicant respectfully requests favorable reconsideration of the claims based on the amendments and remarks set forth herein.

Rejections Under 35 U.S.C. §102 (b)

Claims 3, 5-8, 13, 15-18, 21-24, 26-29, 33-40, 42, and 43 have been rejected under 35 USC §102 as being anticipated by Hausam. Claims 36 and 40 have been amended to overcome the rejection under 35 USC §102. Claims 33-35, 37-39 and 42-45 depend from claims 36 and 40 and are considered to be allowable as such. Applicant respectfully asserts that the claims, as amended herein, overcome and are allowable over the examiner's rejection.

With regard to the rejection under 35 U.S.C. §102, its is well settled, anticipation requires "identity of invention." *Glaverbel Societe Anonyme v. Northlake Manufacture Mktg. & Supply*, 33 USPQ2d 1496, 1498 (Fed. Cir. 1995). Each and every element recited in a claim must be found in a particular prior art reference and arranged as in the claims. *In re Marshall*, 198 USPQ 344, 346 (CCPA 1978); Lindemann Maschinenfabrik GMBH, see *American Hoist and Derrick Company*, 221 USPQ481, 485 (Fed. Cir. 1984). Furthermore, in a rejection under 35 U.S.C. §102 (b) there must be no difference between what is claimed and what is disclosed in the applied reference. *In re Kalm*, 154 USPQ10, 12 (CCPA 1967); *Scripps v. Genentech Inc.*, 18 USPQ2d 1001,1010 (Fed. Cir. 1991).

The Hausam reference does not include each and every element of the claims set forth in the present Response. In particular, Hausam does not include a bracket having a first extension and a second extension defining a gap there between. The Hausam reference merely has a dangling hook structure which fails to include the elements set forth in the claims. It appears from the Hausam reference that the hook must be manually removed to engage and disengage the tunnel. In contrast, the methods set forth in claims 36 allows the user to push the second engager against the first extension of the first engager. This allows the bracket to be displaced by the movement of the funnel. This is not possible based on the disclosure set forth in Hausam.

With the foregoing in mind, the amended claims overcome and are allowable over the rejection under 35 USC §102 since Hausam fails to provide each and every element of the amended claims as set forth herein. There is a significant difference between what is claimed and what is disclosed in Hausam. With the foregoing in mind, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102 and allow the amended claims.

Applicant respectfully asserts that claims 36 and 40, and claims 33-35, 37-39 and 42-45 depending from these independent claims are allowable as amended herein. The remainder of the claims should be allowable based on the Examiner's recommendations for amendment of the claims by placing the claims in condition for allowance. Applicant respectfully requests that the Examiner contact the attorney of record if there is any misunderstanding with regard to the allowability of the balance of the claims. Also, if there is any issue remaining to be resolved, the Examiner is invited to telephone the undersigned so that resolution can be promptly affected.

It is requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees, being charged, or any overpayment in fees being credited, to the Account of Barnes & Thornburg, Deposit Account No. 12-0913 (27726-100554).

Respectfully submitted,

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Dated: December 30, 2009